

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
NW/S Sparrows Point Road, 282' * DEPUTY ZONING COMMISSIONER
SW of the c/l of Snyder Avenue * OF BALTIMORE COUNTY
(2612 and 2614 Sparrows Pt. Rd.) * 15th Election District
7th Councilmanic District * Case No. 89-318-A
John Stephen Podles, Jr., et ux *
Petitioners *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a side yard setback of 3'8" in lieu of the required 15 feet for an existing two-unit converted dwelling in accordance with Petitioner's Exhibit 1.

The Petitioners, by John Podles, Jr., appeared, testified and was represented by Norman Stone, Esquire. There were no Protestants.

Testimony indicated that the subject property, known as 2612 and 2614 Sparrows Point Road, consists of 10,000 sq.ft. zoned D.R. 5.5 and is improved with a duplex dwelling unit. Testimony indicated Petitioners purchased the subject property in June 1986 as a rental property and now propose converting the basement, which is not divided between the two dwelling units, into a third rental unit. Counsel proffered that Petitioners have expended a sizable sum of money since purchasing the subject property to renovate the interior and now need the additional income to continue renovations to the exterior of the building. Petitioner argued to permit the third unit would be to the benefit of the community and would not result in any detriment to the health, safety or general welfare of the public. While the Petitioner presented evidence at the hearing in support of a third rental unit, the Petition filed requested a variance for a two-unit dwelling only. For the reasons set forth below, the third unit will not be permitted.

Section 402 of the Baltimore County Zoning Regulations (B.C.Z.R.) permits a third family unit in the D.R. 5.5 zones (formerly known as R.6 zones) only if the lot area is at least 13,000 sq.ft. For a two-unit (duplex) dwelling unit, as in this instance, the lot must be a minimum width of 80 feet, which is the case here. To add an additional family unit, however, the width would have to be 95 feet. The interior side yard variance required for a duplex is 15 feet. In this instance, Petitioner has 3.8 feet. The building is existing and according to the testimony, has been in existence for an extended period of time without any detriment to the health, safety or general welfare of the community with a 3.8 setback from the adjoining side property line.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance requested in the Petition filed is granted, such use as proposed would not be contrary

to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 9th day of March, 1989 that the Petition for Zoning Variance to permit a side yard setback of 3'8" in lieu of the required 15' for an existing two-unit converted dwelling in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

- 1) The Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- 2) No third rental unit may be added to the subject property.

Ann M. Nastarowicz
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs

CERTIFICATE OF PUBLICATION

OFFICE OF
Dundalk Eagle

4 N. Center Place
P.O. Box 8936
Dundalk, Md. 21222

January 26, 1989

THIS IS TO CERTIFY, that the annexed advertisement of J. Robert Haines in the matter of Zoning Hrgs. - Case #89-318-A - P.O. #09031 - REQ. #M25196 - 88 lines @ \$44.90 was inserted in The Dundalk Eagle a weekly newspaper published in Baltimore County, Maryland, once a week for one week before the 27th day of January 1989; that is to say, the same was inserted in the issues of January 26, 1989

Kimbel Publication, Inc.
per Publisher.

By E. Chelle

CERTIFICATE OF PUBLICATION

TOWSON, MD., January 27, 1989

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on January 26, 1989.

THE JEFFERSONIAN,

S. Zabe O. L.
Publisher

PO 09032
reg M25195
case 89-318-A
price \$39.70

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property described herein at Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 at 2:00 p.m. on Friday, February 10, 1989 at 2:00 p.m.

Petition for Zoning Variance Case Number 89-318-A NW/S Sparrows Point Rd. 282' SW of Snyder Avenue Lots 426, 427, 428, 429 15th Election District 7th Councilmanic District

Petitioner: John Stephen Podles, Jr., et ux as HEARING SCHEDULED: FRIDAY, FEBRUARY 10, 1989 at 2:00 p.m. Variance to permit a side yard setback of 3'8" in lieu of the required 15' for a two-unit converted dwelling.

In the event that the Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commission will hold a public hearing on the property described herein at Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 at 2:00 p.m. on Friday, February 10, 1989 at 2:00 p.m.

J. ROBERT HAINES
Zoning Commissioner of Baltimore County
01/24 Jan. 26

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
404-3333 x 887-3353

February 6, 1989

NOTICE OF REASSIGNMENT



Dennis F. Rasmussen
County Executive

CASE NUMBER 89-318-A
PETITIONER(S) John Stephen Podles, Jr., et ux
LOCATION 2612-14 Sparrows Point Road

THE ABOVE MATTER, ORIGINALLY SCHEDULED TO BE HEARD ON February 10, 1989, HAS BEEN REASSIGNED. THE NEW HEARING DATE IS Thursday, March 2, 1989 at 2:00 p.m.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER OF BALTIMORE COUNTY

COPIES TO:

Norman R. Stone, Esq.
John S. Podles, Jr., et ux
File

Beginning on the NW side of Sparrows Point Road, 30 ft. wide at a distance of 282 ft. SW of the centerline of Snyder Avenue. Being Lots 426, 427, 428 and 429, Plat Book 5, Folio 82 in the 15th Election District.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 15th
Posted for: Variance
Petitioner: John Stephen Podles, Jr., et ux
Location of property: NW/S Sparrows Pt. Rd. - 282' SW of Snyder Ave.
Location of Signs: 2612 & 2614 Sparrows Pt. Rd.
Remarks: Cherry Hill, etc. from 1/10/89 to 3/2/89
Posted by: [Signature]
Number of Signs: 1

PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 89-318-A

The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 402 to permit a side yard setback of 3'8" in lieu of the required 15' for a two-unit converted dwelling.

- Reasons for the Variance (Indicate hardship or practical difficulty):
- 1) To help pay property taxes
 - 2) To help pay mortgage payment
 - 3) To provide living quarters for in-laws

used as prescribed by Zoning Regulations.
The Variance advertising, posting, etc., upon filing of this petition, shall be bound by the zoning regulations and restrictions of Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

John Stephen Podles, Jr.
(Type or Print Name)
[Signature]
Signature
Thelma Lee Podles
(Type or Print Name)
[Signature]
Signature
388-0294
388-6794

7214 Riverdrive Road
Address
Baltimore, Maryland 21209
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Name: _____ Phone No.: _____
Same: _____ Same: _____
Address: _____

City and State: _____
Attorney's Telephone No.: _____
ORDERED By The Zoning Commissioner of Baltimore County, this 14th day of December, 1988, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 10th day of February, 1989, at 2 o'clock P.M.

J. Robert Haines
Zoning Commissioner of Baltimore County.
(over)
ESTIMATED LENGTH OF HEARING: 1/2 HRS.
AVAILABLE FOR HEARING: MON./TUES./WED. - NEXT TWO MONTHS
ALL OTHER: _____
REVIEWED BY: WJK DATE: 1/12/89

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 15th
Posted for: Variance
Petitioner: John Stephen Podles, Jr., et ux
Location of property: NW/S Sparrows Pt. Rd. - 282' SW of Snyder Ave.
Location of Signs: 2612 & 2614 Sparrows Pt. Rd.
Remarks: Cherry Hill, etc. from 1/10/89 to 3/2/89
Posted by: [Signature]
Number of Signs: 1

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3333

J. Robert Haines
Zoning Commissioner

Date: 1/30/89

Mr. & Mrs. John Stephen Podles, Jr.
7214 Riverdale Road
Baltimore, Maryland 21219

Re: Petition for Zoning Variance
CASE NUMBER: 89-318-A
M/S Sparrows Point Rd., 282' SW c/l Snyder Avenue
Lots 426, 427, 428, 429
15th Election District - 7th Councilmanic
Petitioner(s): John Stephen Podles, Jr., et ux
HEARING SCHEDULED: FRIDAY, FEBRUARY 10, 1989 at 2:00 p.m.

Dear Mr. & Mrs. Podles:

Please be advised that \$98.40 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post set(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before each set of.

BALTIMORE COUNTY, MARYLAND No. 003733
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE 2/23/89 ACCOUNT R-01-615-000

AMOUNT \$ 98.40
RECEIVED FROM John S. Podles, Jr.

FOR P.A. 2/10/89 Ream 89-318-A

VALIDATION OR SIGNATURE OF CASHIER

C: Kevin Comer

SUTTON, MCCURDY, AND STONE, P.A.

ATTORNEYS AT LAW
2115 OLD ORENS ROAD
BALTIMORE, MARYLAND 21220-4190

WILLIAM R. SUTTON
T. KRAY MCCURDY
NORMAN R. STONE

December 22, 1988

Honorable Robert Haines
Zoning Commissioner
Baltimore County
County Office Building
Towson, MD 21204

Re: petition of John Stephen Podles, Jr.
and Thelma Lee Podles

Dear Commissioner Haines:

Please be advised that I have been retained to represent Mr. and Mrs. Podles concerning their Petition for Zoning Variance at 2612-14 Sparrows Point Road, Baltimore County, Maryland 21219. The original Petition was filed by Mr. and Mrs. Podles in proper person.

The further purpose of this letter is to provide some background information. The building in question is an existing dwelling with an unfinished basement. Mr. and Mrs. Podles desire to finish the basement and to add a separate entrance and exit. Other than the proposed entrance and exit, which will be situated in the middle of the property and not encroaching on any setback line, there will be no exterior construction.

It appears to me that a denial of a request for variance would result in practical difficulty and undue hardship for the following reasons:

- the property, as is, does not permit my clients to make a reasonable use, and strict compliance with the zoning regulation in this case render conformance therewith unnecessarily burdensome;
- a number of other properties in the area, although originally built as single family dwellings, have been converted to multi-family dwellings in the manner in which the Petitioners

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3333

J. Robert Haines
Zoning Commissioner

January 12, 1989

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
CASE NUMBER: 89-318-A
M/S Sparrows Point Rd., 282' SW c/l Snyder Avenue
Lots 426, 427, 428, 429
15th Election District - 7th Councilmanic
Petitioner(s): John Stephen Podles, Jr., et ux
HEARING SCHEDULED: FRIDAY, FEBRUARY 10, 1989 at 2:00 p.m.

Variance to permit a side yard setback of 3'6" in lieu of the required 15' for a two-unit converted dwelling.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

cc: John Stephen Podles, Jr., et ux
Norman R. Stone, Esq.
File

Honorable Robert Haines
December 22, 1988
Page 2

wish to convert their property. Therefore, a denial of the variance requested would result in a hardship peculiar to the subject property in contrast to the other properties in the zoning district, and further, no lesser relaxation of the zoning regulations would provide substantial relief;

- the relief requested can be granted in such a way as not to offend the spirit of the zoning regulations, public safety, and/or public welfare;
- the hardship complained of is not as a result of Petitioners' actions, but comes about as a result of a changing economy, and the changing uses of similar dwellings in the area.

Since I have just recently been retained by the Podles to represent them in this matter, I am not sure where the matter currently stands, and would request that copies of all documentation be sent to my attention. Further, the information contained in this letter is provided solely to further acquaint you with the surrounding circumstances in this Petition and is in no way tended to circumvent the public hearing requirement.

Thank you for your attention to and consideration of this letter. If any further information is required prior to the hearing, I will be glad to provide your office with it.

Very truly yours,

Norman R. Stone

NRS/paa
cc: Mr. and Mrs. John Podles

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 897-3333

J. Robert Haines
Zoning Commissioner

December 29, 1988

Norman R. Stone, Esq.
SUTTON, MCCURDY, AND STONE, P.A.
2115 Old Orens Road
Baltimore, Maryland 21220-4190

Re: Your clients: John Stephen Podles, Jr., et ux
Item #: 214
Location: 2612-2614 Sparrows Point Road

Dear Mr. Stone:

This to acknowledge receipt of your letter dated December 27, 1988 and thank you for same.

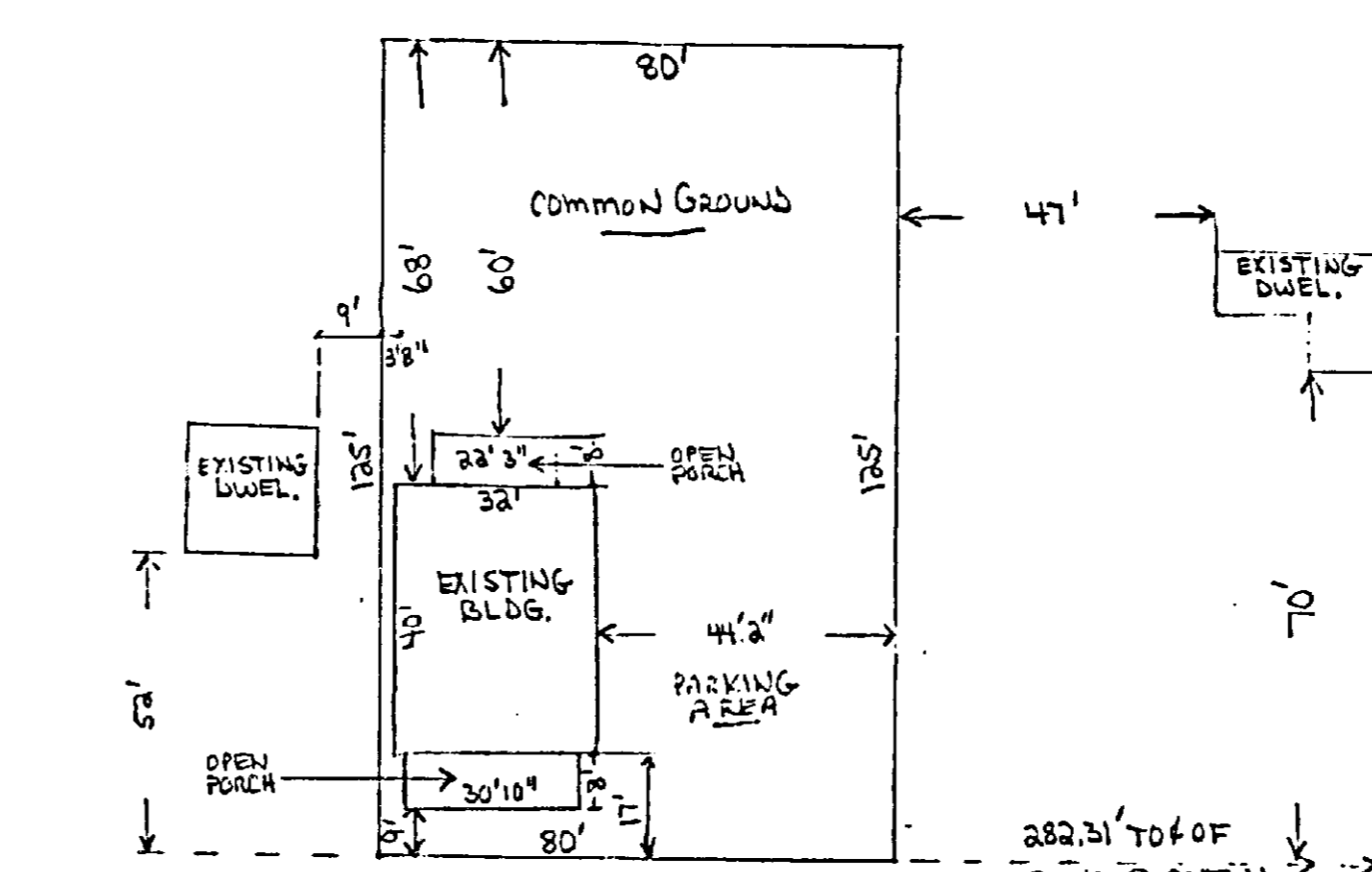
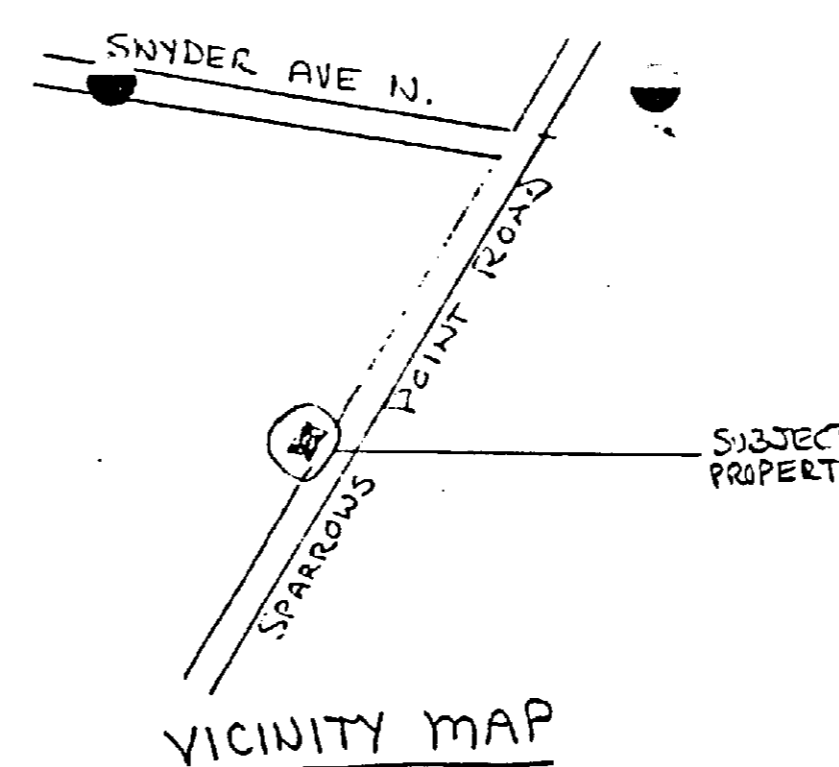
Enclosed you will find copies of the Petition for Zoning Variance, property description, and plat, which are currently a part of the file.

Please be advised that the matter will be scheduled for hearing and a case number assigned in the near future. I expect to be able to set this case on the February docket.

Of course, a copy of the Notice of Hearing, as well as all correspondence generated by the County, will be forwarded to you.

Very truly yours,

G. G. Stephens
Docket Clerk
887-3391



SPARROWS POINT ROAD (30' R/W 24' PAVING)

PLAT FOR ZONING VARIANCE LOT SIZE: 10,000 SQ. FT. .23 ACRES
OWNER JOHN S. & THELMA L. PODLES
DISTRICT IS ZONED D.R.S.S.
SUBDIVISION - SPARROWS POINT
LOT 426-427-428-429 BOOK W.P.C. NO. 5 FOLIO 62
EXISTING UTILITIES IN SPARROWS POINT RD.
SCALE: 1" = 30'

Petitioner's
Exhibit #1

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 897-3333

J. Robert Haines
Zoning Commissioner

December 29, 1988

Norman R. Stone, Esq.
SUTTON, MCCURDY, AND STONE, P.A.
2115 Old Orens Road
Baltimore, Maryland 21220-4190

Re: Your clients: John Stephen Podles, Jr., et ux
Item #: 214
Location: 2612-2614 Sparrows Point Road

Dear Mr. Stone:

This to acknowledge receipt of your letter dated December 27, 1988 and thank you for same.

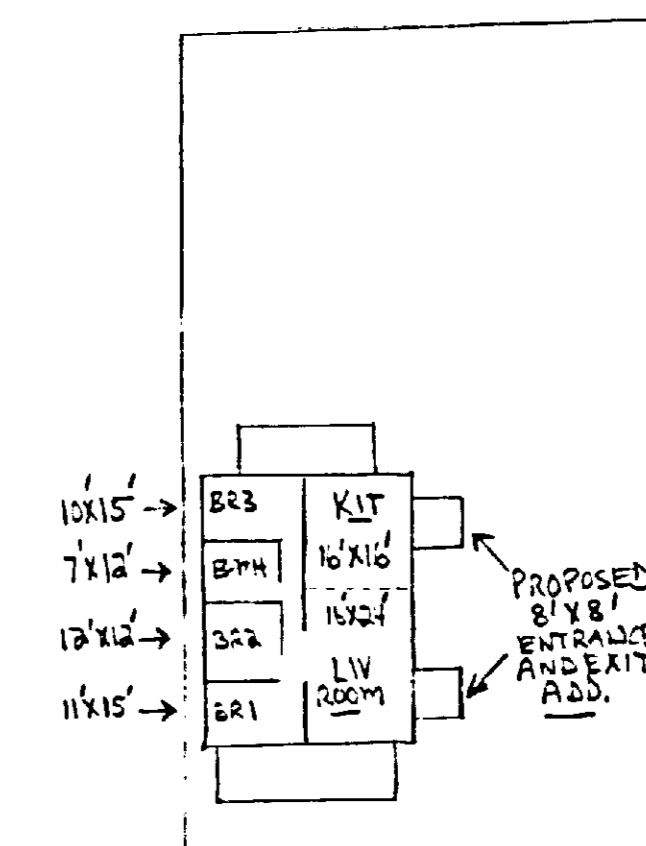
Enclosed you will find copies of the Petition for Zoning Variance, property description, and plat, which are currently a part of the file.

Please be advised that the matter will be scheduled for hearing and a case number assigned in the near future. I expect to be able to set this case on the February docket.

Of course, a copy of the Notice of Hearing, as well as all correspondence generated by the County, will be forwarded to you.

Very truly yours,

G. G. Stephens
Docket Clerk
887-3391



NORMAN: THIS SHOWS YOU WHAT I WANT TO DO!

89-318-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
7th day of Dec' ber, 1988.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER
Received by: *James E. Dyer*
Chairman, Zoning Plans
Advisory Committee
Petitioner John Stephen Podles, Jr., et ux
Petitioner's Attorney

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
(301) 887-3554

January 17, 1989

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for item numbers
174, 192, 202, 204, 206, 208, 211, 212, 213, and 214.

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate II

MSF/LW

SUTTON, McCURDY, AND STONE, P.A.

ATTORNEYS AT LAW
2115 OLD OREMS ROAD
BALTIMORE, MARYLAND 21220-4190

WILLIAM R. SUTTON
T. WRAY McCURDY
NORMAN R. STONE

December 22, 1988

Honorable Robert Haines
Zoning Commissioner
Baltimore County
County Office Building
Towson, MD 21204

Re: Petition of John Stephen Podles, Jr.
and Thelma Lee Podles

Dear Commissioner Haines:

Please be advised that I have been retained to represent Mr. and Mrs. Podles concerning their petition for Zoning Variance at 2612-14 Sparrows Point Road, Baltimore County, Maryland 21219. The original petition was filed by Mr. and Mrs. Podles in proper person.

The further purpose of this letter is to provide some background information. The building in question is an existing dwelling with an unfinished basement. Mr. and Mrs. Podles desire to finish the basement and to add a separate entrance and exit. Other than the proposed entrance and exit, which will be situated in the middle of the property and not encroaching on any setback line, there will be no exterior construction.

It appears to me that a denial of a request for variance would result in practical difficulty and undue hardship for the following reasons:

1. the property, as is, does not permit my clients to make a reasonable use, and strict compliance with the zoning regulation in this case render conformance therewith unnecessarily burdensome;
2. a number of other properties in the area, although originally built as single family dwellings, have been converted to multi-family dwellings in the manner in which the petitioners

Baltimore County
Fire Department
Towson, Maryland 21204-2586
494-4500

Paul H. Reincke
Chief

December 29, 1988

J. Robert Haines, Zoning Commissioner
Office of Planning & Zoning
Baltimore County Office Building
Towson, Maryland 21204

Re: Property Owner: John Stephen Podles, Jr., et ux

Location: NW/S Sparrows Pt. Rd., 282' SW of c/1 of Snyder Avenue

Item No.: 214 Zoning Agenda: Meeting of 12/6/88

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals or feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *John E. O'Neill* NOTED & APPROVED:
Planning Group Fire Prevention Bureau
Special Inspection Division

/s/

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

January 31, 1989

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Mr. & Mrs. John Stephen Podles, Jr.
7214 Riverdrive Road
Baltimore, MD 21219

RE: Item No. 214, Case No. 89-318-A
Petitioner: John Stephen Podles, Jr., et ux
Petition for Zoning Variance

Dear Mr. Podles:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures



Maryland Department of Transportation
State Highway Administration

Richard M. Trainor
Secretary
Hal Kassoff
Administrator

December 16, 1988

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Attn: Mr. James Dyer

Re: Baltimore County
John Stephen Podles, Jr.
Property
Zoning Meeting of 12-6-88
N/S Sparrows Point Road
(Maryland 718)
282' South of Snyder Ave.
(Item #214)

Dear Mr. Haines:

After reviewing the submittal for a variance to permit a side yard setback of 3' 8" in lieu of the required 15' for a two unit converted dwelling, we find the plan generally acceptable.

If you have any questions, please call Larry Brocato of this office.

Very truly yours,

Gregory J. Mills, Jr.
Gregory J. Mills, Jr., Chief
Bureau of Engineering
Access Permits

LB:maw

cc: Mr. J. Ogle

My telephone number is (301) 333-1150

Teleprinter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 482-0451 D.C. Metro - 1-800-482-5082 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

To: J. Robert Haines, Zoning Commissioner Date: February 9, 1989
Pat Keller, Deputy Director
FROM: Office of Planning and Zoning
Zoning Petition Nos. 89-318-A (Podles); 89-343-SPH (The Whistler);
SUBJECT: 89-345-A (Whispering Meadow); and 89-347-A (Bush)

The Office of Planning and Zoning has no comment on the above petitions.

Baltimore County
Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204
(301) 887-3333
J. Robert Haines
Zoning Commissioner

March 9, 1989

Norman R. Stone, III, Esquire
2115 Old Orem Road
Baltimore, Maryland 21220

RE: PETITION FOR ZONING VARIANCE
NW/S Sparrows Point Road, 282' SW of the c/1 of Snyder Avenue
(2612 and 2614 Sparrows Point Road)
15th Election District - 7th Councilmanic District
John Stephen Podles, Jr., et ux - Petitioners
Case No. 89-318-A

Dear Mr. Stone:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 494-3391.

Very truly yours,

Ann M. Nastarowicz
Ann M. Nastarowicz
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs

cc: People's Counsel

File

Honorable Robert Haines
December 22, 1988
Page 2

wish to convert their property. Therefore, a denial of the variance requested would result in a hardship peculiar to the subject property in contrast to the other properties in the zoning district, and further, no lesser relaxation of the zoning regulations would provide substantial relief;

3. the relief requested can be granted in such a way as not to offend the spirit of the zoning regulations, public safety, and/or public welfare;
4. the hardship complained of is not as a result of petitioners' actions, but comes about as a result of a changing economy, and the changing uses of similar dwellings in the area.

Since I have just recently been retained by the Podles to represent them in this matter, I am not sure where the matter currently stands, and would request that copies of all documentation be sent to my attention. Further, the information contained in this letter is provided solely to further acquaint you with the surrounding circumstances in this petition and is in no way tended to circumvent the public hearing requirement.

Thank you for your attention to and consideration of this letter. If any further information is required prior to the hearing, I will be glad to provide your office with it.

Very truly yours,

Norman R. Stone
Norman R. Stone

NRS/paa
cc: Mr. and Mrs. John Podles

SUTTON, McCURDY, AND STONE, P.A.

ATTORNEYS AT LAW
2115 OLD OREMS ROAD
BALTIMORE, MARYLAND 21220-4190

WILLIAM R. SUTTON
T. WRAY McCURDY
NORMAN R. STONE

January 31, 1989

J. Robert Haines
Zoning Commissioner of
Baltimore County
Office of Planning & Zoning
Towson, MD 21204

Re: Petition for Zoning Variance
Case No. 89-318-A
NWS Sparrows Point Rd., 282' SW c/1 Snyder Avenue
Lots 426, 427, 428, 429
15th Election District - 7th Councilmanic
Petitioner: John Stephen Podles, Jr., et ux
Hearing Scheduled: Friday, February 10, 1989 at 2:00 p.m.

Dear Commissioner Haines:

I have received notice that the above referenced petition for zoning variance is scheduled for a hearing on Friday, February 10, 1989 at 2:00 p.m.

The purpose of this letter is to request a continuance of that hearing. My reason for the request is that I and my family have paid reservations to be out of town on that date at that time. I had hoped to have my partner, Wray McCurdy, appear in place of me, but since Mr. Podles and I have known each other personally for many years, he has indicated that he wants me and not my partner to represent him at the hearing.

I regret any inconvenience that would be involved in postponing the hearing, but it is the only way I know to both satisfy my client's wishes and to not lose money that I have already put out for the trip. Therefore, I respectfully request that you grant the postponement.

Thank you for your anticipated assistance.

Very truly yours,

Norman R. Stone
Norman R. Stone

NRS/paa